

US EPA ARCHIVE DOCUMENT

REVISION CHECKLIST 169

Petroleum Refining Process Wastes

63 FR 42110-42189

August 6, 1998

as amended at 63 FR 54356-54357, October 9, 1998

(RCRA Cluster IX, HSWA/Non-HSWA provisions)

Note: The revisions to 40 CFR 261.32, Part 261 Appendix VII, 268.35 and 268.40 are promulgated pursuant to HSWA. These regulations become effective on the Federal effective date in all States. The revision to 40 CFR 266.100 is promulgated pursuant to HSWA, but it is optional for adoption. The revisions to 40 CFR Part 261.3, 261.4, and 261.6 are promulgated relative to non-HSWA authority. The non-HSWA revisions related to the exclusions from the definition of solid waste of certain oil-bearing hazardous secondary material from petroleum refining and certain recovered oils from associated petrochemicals are optional. The addition of 40 CFR 261.4(a)(19) is a clarifying change and States are not required to make it because they do not need further authorization to interpret their regulations in accordance with this clarification. Those provisions designated as HSWA are identified by a "♦" (diamond symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
DEFINITION OF HAZARDOUS WASTE						
insert “, provided that the wastes...separation” after “§ 261.32”; insert “crude oil storage tank sediment ... (EPA Hazardous Waste No. K172)” after “(EPA Hazardous Waste No. K050)	261.3(a)(2)(iv)(C)	261a.1	X			
replace “§ 261.6(a)(3)(iv) through (vi)” with “§ 261.6(a)(3)(iii) and (iv)”	261.3(c)(2)(ii)(B)	261a.1	X			

RCRA REVISION CHECKLIST 169: Petroleum Refining Process Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
† add new subparagraph; catalyst inert support media separated from wastes listed in § 261.32 – Spent hydrotreating catalyst and spent hydrorefining catalyst	261.3(c)(2)(ii)(E)	261a.1	X			

EXCLUSIONS

†,2 completely revise 261.4(a)(12) as 261.4(a)(12)(i)&(ii); oil- bearing hazardous secondary materials generated at petroleum refinery and inserted into the refining process unless the material is placed on land or speculatively accumulated before recycled; non- characteristic materials inserted into thermal cracking units; oil-bearing hazardous secondary materials inserted into same refinery where generated, or sent directly to another refinery; oil- bearing hazardous secondary materials generated elsewhere in petroleum industry are not excluded; residuals generated from materials excluded under 261.4(a)(12)(i) that would have otherwise met listing under 261 subpart D, are designated as F037 listed wastes when disposed of or intended for disposal	261.4(a)(12)(i)	261a.1	X			
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RCRA REVISION CHECKLIST 169: Petroleum Refining Process Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
†,2 recovered oil recycled in same manner and conditions as in 261.4(a)(12)(i); recovered oil is oil reclaimed from secondary materials generated from normal petroleum industry practices; recovered oil does not include oil-bearing hazardous wastes listed in 261 subpart D, however, oil recovered from such wastes may be considered recovered oil; recovered oil does not include used oil as defined in 279.1	261.4(a)(12)(ii)	261a.1	X			
† add new paragraph; petrochemical recovered oil from associated organic chemical manufacturing facility, where oil is inserted into refining process with normal process streams provided:	261.4(a)(18)	261a.1	X			
† oil is hazardous only because it exhibits characteristic of ignitability and/or toxicity for benzene; and	261.4(a)(18)(i)	261a.1	X			
† oil generated is not placed on land or speculatively accumulated before recycled; definitions of "associated organic chemical manufacturing facility" and "petrochemical recovered oil"	261.4(a)(18)(ii)	261a.1	X			

RCRA REVISION CHECKLIST 169: Petroleum Refining Process Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

PART 268 – LAND DISPOSAL RESTRICTIONS

SUBPART C – PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS-PETROLEUM REFINING WASTES

◆,4 add new paragraph; effective February 8, 1999, wastes K169-K172, soils and debris contaminated with these wastes, radioactive wastes mixed with these wastes, and soils and debris contaminated with radioactive wastes mixed with these wastes are prohibited from land disposal	268.35(a)	268a.1(a)	X			
◆ add new paragraph; requirements of 268.35(a) do not apply if:	268.35(b) intro	268a.1(a)	X			
◆ wastes meet treatment standards specified in 268 subpart D;	268.35(b)(1)	268a.1(a)	X			
◆ exemption from a prohibition pursuant to petition granted under 268.6, with respect to wastes and units covered by the petition;	268.35(b)(2)	268a.1(a)	X			
◆ wastes meet treatment standards established pursuant to petition granted under 268.44;	268.35(b)(3)	268a.1(a)	X			
◆ hazardous debris meeting treatment standards in 268.40 or alternative treatment standards in 268.45; or	268.35(b)(4)	268a.1(a)	X			

RCRA REVISION CHECKLIST 169: Petroleum Refining Process Wastes (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
♦ extension to effective date of prohibition granted pursuant to 268.5, with respect to wastes covered by extension	268.35(b)(5)	268a.1(a)	X			
♦ add new paragraph; to determine if hazardous wastes identified in 268.35 exceeds 268.40 treatment standards, initial generator must test waste, or use knowledge of waste; if waste contains constituents in excess of UTS levels of 268.48, waste is prohibited from land disposal, and all requirements of part 268 are applicable, except as otherwise specified	268.35(c)	268a.1(a)	X			

SUBPART D – TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

♦,5 add in alphanumeric order new entries for K169, K170, K171, and K172 as shown at 63 FR 42187	268.40/Table	268a.1(a)	X			
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¹ The internal reference to "§261.6(a)(3)(iv) through (vi)", as affected by Revision Checklist 135, was incorrect in the July 1, 1997, CFR. The reference should have been "§261.6(a)(3)(iii) through (v)" to correctly correspond to the deletion of subparagraphs in 40 CFR 261.6(a)(3) by Revision Checklists 112, 135, and 142B. Not all of these checklists made the corresponding changes to the internal references at 40 CFR 261.3(c)(3)(ii)(B) or 266.100(b)(3); therefore, the internal reference has remained incorrect in the CFR since July 1, 1993. Revision Checklist 169 subsequently corrects the internal references at both provisions to also reflect the removal of 40 CFR 261.6(a)(3)(v).

² The revision of the exclusion 40 CFR 261.4(a)(12)(i)&(ii) replaces the provision at 40 CFR 261.6(a)(3)(v) causing it to be removed; therefore, these provisions should be adopted together. States should be aware that adoption of the removal of 40 CFR 261.6(a)(3)(v) without the adoption of the revisions to 40 CFR 261.4(a)(12)(i)&(ii) would make the State potentially broader-in-scope than the Federal requirements. The correction of the internal reference at 40 CFR 261.3(c)(2)(ii)(B)

RCRA REVISION CHECKLIST 169: Petroleum Refining Process Wastes (cont'd)

is also optional. Although the revision of the internal reference at 40 CFR 266.100(b)(3) is made pursuant to HSWA authority, it is also optional since the revision should be made only if the revisions to 40 CFR 261.4(a)(12)(i)&(ii) are adopted.

- 3 This change is conditionally optional. If a State chooses to make the optional changes at 40 CFR 261.4(a)(12), it needs to make this change as well.
- 4 The 1997 40 CFR reprints 40 CFR 268.35 (which was removed by the rule addressed by Revision Checklist 157), and includes a note that the section has been removed effective August 11, 1997 (62 FR 26022, 5/12/97). Since it was promulgated after the effective date of the removal, Revision Checklist 169 adds a new 40 CFR 268.35.
- 5 Note that the August 6, 1998 rule (Revision Checklist 169) republished the appropriate footnotes to the Table of Treatment Standards at 40 CFR 268.40 without change.

RCRA REVISION CHECKLIST 170

Land Disposal Restrictions Phase IV -- Zinc Micronutrient Fertilizers, Amendment

63 FR 46332-46334

August 31, 1998

(RCRA Cluster IX, HSWA)

Note: This August 31, 1998 (63 FR 46332) notice stays the land disposal treatment standards for metal-bearing hazardous wastes which exhibit the characteristic of toxicity as it applies to zinc micronutrient fertilizers. Zinc micronutrient fertilizers are now subject to the applicable treatment standards in 268.41 contained in the July 1, 1990 edition of the CFR. The stay remains in effect until further regulatory action is taken by the Agency. If and when further action is taken, EPA will publish a notice in the Federal Register (a notice of Proposed Rulemaking is expected in 1999). A checklist is necessary because the code is affected. Because this amendment raises the level to which certain constituents must be treated and is, therefore, less stringent than previous standards, States are not required to adopt this checklist. As such, this checklist has been designated as optional.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
PART 268 - LAND DISPOSAL RESTRICTIONS						
SUBPART D - TREATMENT STANDARDS						
APPLICABILITY OF TREATMENT STANDARDS						
add new subparagraph; zinc-containing fertilizers produced for general public use and produced from or containing recycled characteristic hazardous wastes (D004- D011) are subject to 268.41 treatment standards in the July 1, 1990 edition of the CFR	268.40(i)	268a.1(a)	X			

¹ Paragraph 268.40(i) was added by 63 FR 46332-46334 (August 31, 1998, Revision Checklist 170) and a second paragraph 268.40(i) was added 63 FR 47410-47418 (September 4, 1998, Revision Checklist 171).

RCRA REVISION CHECKLIST 171

Emergency Revision of the Land Disposal Restrictions (LDR) Treatment Standards for Listed Hazardous Wastes from Carbamate Production

63 FR 47410-47418

September 4, 1998

(RCRA Cluster IX, HSWA)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

replace "August 26, 1997 and August 26, 1998" with "August 26, 1996 and March 4, 1999"	268.40(g)	268a.1(a)	X			
1 add new paragraph; effective September 4, 1998, treatment standards for certain "P" and "U" wastes specified in 261.33 may be satisfied by either meeting constituent concentrations in "Treatment Standards for Hazardous Wastes" table, or by treating the waste by technologies specified	second paragraph 268.40(i)	268a.1(a)	X			
2,3 revise "Treatment Standards for Hazardous Wastes" table and footnotes to table as shown at 63 <u>FR</u> 47416-47417	268.40/Table	268a.1(a)	X			

RCRA REVISION CHECKLIST 171: Emergency Revision of LDR Treatment Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
UNIVERSAL TREATMENT STANDARDS						
remove entries for the following: A2213; Bendiocarb phenol; Diethylene glycol, dicarbamate; Dimetilan; Formparanate; Isolan; o-Phenylenediamine; and Tirpate	268.48(a)/Table	268a.1(a)	X			
remove footnote "6" in column one, after the following: Aldicarb sulfone; Barban; Bendiocarb; Benomyl; Butylate; Carbaryl; Carbenzadim; Carbofuran; Carbofuran phenol; Carbosulfan; m-Cumenyl methylcarbamate; Dithiocarbamates (total); EPTC; Formetanate hydrochloride; Methiocarb; Methomyl; Metolcarb; Mexacarbate; Molinate; Oxamyl; Pebulate; o-Phenylenediamine; Physostigmine; Physostigmine salicylate; Promecarb; Propham; Propoxur; Prosulfocarb; Thiodicarb; Thiophanate-methyl; Triallate; Triethylamine; and Vernolate; and by removing footnote 6 itself	268.48(a)/Table	268a.1(a)	X			

¹ Paragraph 268.40(i) was added by 63 FR 46332-46334(August 31, 1998, Revision Checklist 170) and a second paragraph 268.40(i) was added 63 FR 47410-47418 (September 4, 1998, Revision Checklist 171).

² Note that on pages 47416-47417 of the September 4, 1988 rule, "mg/l" has been erroneously expressed as "mg/L" throughout the table "Treatment Standards for Hazardous Wastes" and throughout the footnotes to this table. Milligrams per liter is correctly abbreviated as "mg/l".

RCRA REVISION CHECKLIST 171: Emergency Revision of LDR Treatment Standards (cont'd)

- ³ Footnote 11 to the table "Treatment Standards for Hazardous Wastes" was inadvertently revised to "mg/L TCLP". The correct version of footnote 11 is found in the May 26, 1998 FR notice (63 FR 28738).

RCRA REVISION CHECKLIST 172

Land Disposal Restrictions Phase IV -- Extension of Compliance

Date for Characteristic Slags

63 FR 48124-48127

September 9, 1998

(RCRA Cluster IX, HSWA)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART D - TREATMENT STANDARDS

WASTE SPECIFIC PROHIBITIONS--SECOND THIRD WASTES

† redesignate old 268.34(b)-(e) as 268.34(c)-(f); add new 268.34(b) setting November 26, 1998 as the effective date when slags from secondary lead smelting which exhibit the Toxicity Characteristic due to one or more metals, are prohibited from land disposal	268.34(b)-(f)	268a.1(a)	X			
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RCRA REVISION CHECKLIST 173

Land Disposal Restrictions; Treatment Standards for
Spent Potliners from Primary Aluminum
Reduction (K088); Final Rule
63 FR 51254-51267
September 24, 1998
(RCRA Cluster VIII, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART C - PROHIBITIONS ON LAND DISPOSAL

WASTE SPECIFIC PROHIBITIONS-SPENT ALUMINUM POTLINERS; REACTIVE; AND CARBAMATE WASTES

replace "October 8, 1997" with "September 21, 1998"; replace "this waste" with "these wastes"	268.39(c)	268a.1(a)	X			
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SUBPART D - TREATMENT STANDARDS

APPLICABILITY OF TREATMENT STANDARDS

in the entry for K088, correct "Acenaphthene" to "Acenaphthalene"; correct "Benz(a)anthracene" to "Benzo(a)anthracene"; in nonwastewaters column for Arsenic, replace "5.0 mg/l TCLP" with "26.1 mg/kg"; remove "Fluoride" and its corresponding data	268.40/Table	268a.1(a)	X			
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RCRA REVISION CHECKLIST 174

Post-Closure Permit Requirement and Closure Process

63 FR 56710-56735

October 22, 1998

(RCRA Cluster IX, HSWA/non-HSWA provisions)

Notes : 1) States choosing to adopt this optional checklist must demonstrate the enforcement authority added by this rule to 40 CFR 271.16(e) in order to receive authorization for this checklist.

2) The revisions to 40 CFR 264.90(f), 264.110(c), 264.112(b)(8), 264.112(c)(2)(iv), 264.118(b)(4), 264.118(d)(2)(iv), 264.140(d), 265.90(f), 265.110(d), 265.112(b)(8), 265.112(c)(1)(iv), 265.118(c)(5), 265.118(d)(1)(iii), 265.121(a)(2), 265.140(d) and 271.16(e) are promulgated pursuant to HSWA. Because these provisions are not more stringent, they are immediately effective only in those States not authorized for the base RCRA program. The revisions to 40 CFR 264.90(e), 265.110(c), 265.118(c)(4), 265.121 (except for 265.121(a)(2)), 270.1, 270.14(a), and 270.28 are promulgated relative to non-HSWA authority. Those provisions designated as HSWA are identified by a "♦" (diamond symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES						
SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS						
APPLICABILITY						
add new paragraph; 264 Subpart F regulations apply to all owners/operators subject to 270.1(c)(7) when either post-closure permit or enforceable document is issued; when an enforceable document is issued, references to "in the permit" mean "in the enforceable document"	264.90(e)	264a.1(a)	X			

**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd).**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
◆ add new paragraph; Regional Administrator may replace requirements of 264.91-- 264.100 with alternative regulations for groundwater monitoring & corrective action for releases to groundwater contained in permit (or enforceable document) where Regional Administrator determines:	264.90(f) intro	264a.1(a)	X			
◆ regulated unit is situated among solid waste management units, release has occurred, and both regulated unit and one or more solid waste management unit(s) are likely to have contributed to release; and	264.90(f)(1)	264a.1(a)	X			
◆ it is not necessary to apply 264.91 - 264.100 requirements because alternative requirements will protect human health and environment	264.90(f)(2)	264a.1(a)	X			

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

◆ add new paragraph; Regional Administrator may replace part 264 Subpart G requirements with alternative requirements contained in permit or enforceable document where Regional Administrator determines that:	264.110(c)	264a.1(a)	X			
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**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
♦ regulated unit is situated among solid waste management units, release has occurred, and both regulated unit and one or more solid waste management unit(s) are likely to have contributed to release; and	264.110(c)(1)	264a.1(a)	X			
♦ it is not necessary to apply part 264 Subpart G requirements because alternative requirements will protect human health and environment and satisfy 264.111(a)&(b) requirements	264.110(c)(2)	264a.1(a)	X			
CLOSURE PLAN; AMENDMENT OF PLA						
♦, 1 add new paragraph; for facilities where Regional Administrator has applied alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d), either alternative requirements or reference to enforceable document containing those requirements	264.112(b)(8)	264a.1(a)	X			
♦ add new paragraph; owner/ operator requests Regional Administrator to apply alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d)	264.112(c)(2)(iv)	264a.1(a)	X			

RCRA REVISION CHECKLIST 174: Post-Closure Requirements and Closure Process (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

POST-CLOSURE PLAN; AMENDMENT OF PLAN

♦ add new paragraph; for facilities where Regional Administrator has applied alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d), either alternative requirements or reference to enforceable document containing those requirements	264.118(b)(4)	264a.1(a)	X			
♦ add new paragraph; owner/operator requests Regional Administrator to apply alternative requirements under 264.90(f), 264.110(c), and/or 264.140(d)	264.118(d)(2)(iv)	264a.1(a)	X			

SUBPART H - FINANCIAL REQUIREMENTS

APPLICABILITY

♦ add new paragraph; Regional Administrator may replace part 264 Subpart H requirements with alternative requirements for financial assurance in permit or enforceable document, where Regional Administrator :	264.140(d)	264a.1(a)	X			
♦, 1 prescribes alternative requirements under 264.90(f) and/or 264.110(c); and	264.140(d)(1)	264a.1(a)	X			
♦ determines it is not necessary to apply part 264 Subpart H requirements because alternative requirements will protect human health and environment	264.140(d)(2)	264a.1(a)	X			

**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART F - GROUND-WATER MONITORING

APPLICABILITY

♦ add new paragraph; Regional Administrator may replace part 265 Subpart F requirements with alternative requirements developed for groundwater monitoring contained in approved closure or post- closure plan or enforceable document where Regional Administrator determines:	265.90(f)	265a.1(a)	X			
♦ regulated unit is situated among solid waste management units, release has occurred, and both regulated unit and one or more solid waste management unit(s) are likely to have contributed to release; and	265.90(f)(1)	265a.1(a)	X			
♦ it is not necessary to apply part 265 Subpart F requirements because alternative requirements will protect human health and environment; alternative standards must meet 264.101(a) requirements	265.90(f)(2)	265a.1(a)	X			

SUBPART G - CLOSURE AND POST-CLOSURE

APPLICABILITY

add new paragraph; 265.121 applies to owners/operators of units subject to 270.1(c)(7) and are regulated under enforceable document	265.110(c)	265a.1(a)	X			
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**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
◆ add new paragraph; Regional Administrator may replace part 265 Subpart G requirements with alternative requirements for closure contained in approved closure or post- closure plan or in enforceable document where Regional Administrator determines:	265.110(d)	265a.1(a)	X			
◆ regulated unit is situated among solid waste management units, release has occurred, and both regulated unit and one or more solid waste management unit(s) are likely to have contributed to release; and	265.110(d)(1)	265a.1(a)	X			
◆ it is not necessary to apply part 265 Subpart G requirements because alternative requirements will protect human health and environment, and will satisfy 265.111(a)&(b)	265.110(d)(2)	265a.1(a)	X			

CLOSURE PLAN; AMENDMENT OF PLAN

◆ add new paragraph; for facilities where Regional Administrator has applied alternative requirements under 265.90(f), 265.110(d), and/or 265.140(d), either alternative requirements or reference to enforceable document containing those requirements	265.112(b)(8)	265a.1(a)	X			
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**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
♦ add new paragraph; owner/operator requests Regional Administrator to apply alternative requirements under 265.90(f), 265.110(d), and/or 265.140(d)	265.112(c)(1)(iv)	265a.1(a)	X			

POST-CLOSURE PLAN; AMENDMENT OF PLAN

add new paragraph; for facilities subject to 265.121, provisions that satisfy 265.121(a)(1)&(3)	265.118(c)(4)	265a.1(a)	X			
♦ add new paragraph; for facilities where Regional Administrator has applied alternative requirements under 265.90(f), 265.110(d), and/or 265.140(d), either alternative requirements or reference to enforceable document containing those requirements	265.118(c)(5)	265a.1(a)	X			
♦ add new paragraph; owner/operator requests Regional Administrator to apply alternative requirements under 265.90(f), 265.110(d), and/or 265.140(d)	265.118(d)(1)(iii)	265a.1(a)	X			

**POST-CLOSURE REQUIREMENTS FOR FACILITIES THAT OBTAIN ENFORCEABLE DOCUMENTS
IN LIEU OF POST-CLOSURE PERMITS**

add new paragraph; owners/operators subject to post-closure permit requirements of 270.1(c), but who obtain enforceable documents in lieu of post- closure permits, must comply with following requirements:	265.121(a)	265a.1(a)	X			
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**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
270.28 facility information requirements	265.121(a)(1)	265a.1(a)	X			
◆ 264.101 facility-wide corrective action requirements	265.121(a)(2)	265a.1(a)	X			
264.91 through 264.100 requirements	265.121(a)(3)	265a.1(a)	X			
add new paragraph; in issuing enforceable documents in lieu of permits, Regional Administrator will assure opportunity for public involvement including opportunity for public notice and comment:	265.121(b)(1)	265a.1(a)	X			
when EPA becomes involved in facility remediation as regulatory or enforcement matter;	265.121(b)(1)(i)	265a.1(a)	X			
on proposed preferred remedy and assumptions that remedy is based upon; and	265.121(b)(1)(ii)	265a.1(a)	X			
at time of proposed decision that remedial action is complete at facility; specified requirements must be met before Regional Administrator may consider requirements of 270.1(c)(7) to be fulfilled, unless facility qualifies for modification under 265.121(b)(2) or (3)	265.121(b)(1)(iii)	265a.1(a)	X			

**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
if Regional Administrator determines that delay in implementation of remedy would adversely affect human health or environment, Regional Administrator may delay compliance with 265.121(b)(1) and implement remedy immediately; however, Regional Administrator must assure involvement of public at earliest opportunity	265.121(b)(2)	265a.1(a)	X			
Regional Administrator may allow remediation initiated prior to October 22, 1998 to substitute for corrective action even if 265.121(b)(1) requirements have not been met as long as notice and comment takes place at earliest opportunity	265.121(b)(3)	265a.1(a)	X			

SUBPART H - FINANCIAL REQUIREMENTS

APPLICABILITY

♦ add new paragraph; Regional Administrator may replace part 265 Subpart F requirements with alternative requirements for financial assurance contained in permit or enforceable document where Regional Administrator:	265.140(d)	265a.1(a)	X			
♦ prescribes alternative requirements under 265.90(f) and/or 265.110(d), and	265.140(d)(1)	265a.1(a)	X			

**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
◆ determines it is not necessary to apply 265 Subpart H requirements because alternative will protect human health and environment	265.140(d)(2)	265a.1(a)	X			

**PART 270 - EPA ADMINISTERED PERMIT PROGRAMS:
THE HAZARDOUS WASTE PERMIT PROGRAM**

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

insert "of this chapter" after "265.115"; insert "or decontamination" after "closure by removal"; insert ", or obtain an enforceable document in lieu of post-closure permit, as provided under paragraph (c)(7) of this section" after "270.1(c)(5) and (6)"; insert "40 CFR" prior to "part 264"; replace initial capitalizations with lower case letters in "groundwater monitoring, ... post-closure care requirements"	270.1(c) intro	270a.1(a)	X			
add new paragraph; enforceable documents for post-closure care; at Regional Administrator's discretion, owner/operator may obtain enforceable document imposing 265.121 requirements in lieu of post-closure permit; definition of enforceable document	270.1(c)(7)	270a.1(a)	X			

**RCRA REVISION CHECKLIST 174: Post-Closure Requirements and
Closure Process (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART B - PERMIT APPLICATION

CONTENTS OF PART B: GENERAL REQUIREMENTS

add new sentence to end of existing paragraph; for post-closure permits, only 270.28 information is required in Part B application	270.14(a)	270a.1(a)	X			
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PART B INFORMATION REQUIREMENTS FOR POST-CLOSURE PERMITS

add new section; for post-closure permits, owner/operator required to only submit information specified in 270.14(b)(1), (4)-(6), (11), (13), (14), (16), (18), and (19), (c), and (d) unless Regional Administrator determines that 270.14, 270.16 - 270.18, 270.20, or 270.21 information is necessary; owner/operator required to submit same information when alternative authority is used in lieu of post-closure permit	270.28	270a.1(a)	X			
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¹ The October 22, 1998 rule (63 FR 56710) contains a typographical error. The internal reference to "264.110(d)" should be "264.110(c)".

RCRA REVISION CHECKLIST 175

HWIR-Media

63 FR 65874-65947

November 30, 1998

(RCRA Cluster IX, HSWA/non-HSWA provisions)

Notes : 1) While not included in this revision checklist, this rule adds new requirements to Part 271. Specifically, it adds the procedures for a State to receive authorization for rules listed as acceptable for abbreviated application requirements.

2) The revisions to 40 CFR 260.10, 264.1(j) intro, 264.101(d), 264.552(a), 264.553(a), 264.554, 265.1(b), 268.2(c), 268.50(g), 270.2, 270.42 Appendix I, and 270.230(e)(1) were promulgated pursuant to HSWA. Because these provisions are not more stringent, they are immediately effective only in those States not authorized for the base RCRA program. The revisions to 40 CFR 261.4(g), 264.1(j)(1)-(13), 264.73(b)(17), 270.11(d), 270.68, 270.73(a), and Part 270 Subpart H (except 270.230(e)(1)) were promulgated relative to non-HSWA authority. The 264.1(j) introductory paragraph is also a non-HSWA provision to the extent that it addresses the requirements that remediation waste management units can meet in lieu of 40 CFR Part 264, Subparts B, C and D. Those provisions designated as HSWA are identified by a "♦" (diamond symbol) in this checklist.

3) Revision Checklist 121 added 40 CFR 264, Subpart S addressing Corrective Action Management Units (CAMUs) and Temporary Units. The rule addressed by that checklist limited the use of CAMUs and Temporary Units to remedies under 40 CFR 264.101 or RCRA §3008(h) (corrective action). The rule addressed by Revision Checklist 175 expands the availability for use of these units to permitted facilities that are not subject to 40 CFR 264.101. States may be authorized for Revision Checklist 175 without being authorized for Revision Checklist 121 if the authorization, relative to the use of CAMUs and Temporary Units, is limited to permitted facilities that are not subject to 40 CFR 264.101. This limitation needs to be addressed in Section XV (EE) of the Attorney General's Statement. At that entry, the State should also cite its analogs to 40 CFR 260.10 ("disposal facility", "landfill", and "miscellaneous unit"), 264.552(b)-(h), 264.553(b)-(g), 270.2 ("disposal facility"), and 270.42, Appendix I. These other provisions, which were not addressed by Revision Checklist 175, need to be cited by the State and reviewed by the Region to assure that all of the design and operating requirements for CAMUs and Temporary Units are included in the State's regulations and authorized. In the "Remarks of the Attorney General", the State's Attorney General must include a statement that, relative to 40 CFR 264, Subpart S, the State is not seeking authorization for the corrective action uses of CAMUs and Temporary Units. In addition, if the State is not authorized for Revision Checklist 17L (Corrective Action), the State should limit the use, and in turn the authorization, of staging piles in a similar fashion.

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

DEFINITIONS

†, ♦	remove "266, 268, and 270 through"	260.10(intro)	260a.1(a)	X			
†, ♦, 1	replace existing definition of "corrective action management unit or CAMU" with new definition of "corrective action management unit (CAMU)"	260.10 "corrective action management unit (CAMU)"	260a.1(a)	X			
†, ♦	add third definition numbered "(3)", a remediation waste management site is not a facility subject to 264.101, but is subject to corrective action if site is located within such facility	260.10 "facility"	260a.10 "facility"	Not applicable; this revision addresses the exemption from corrective action. The Commonwealth has not made this revision because Pennsylvania is not authorized, nor is it seeking authorization, for the corrective action program.			
†, ♦	replace "40 CFR part 146" with "part 146 of this chapter"; remove "or" prior to "unit eligible"; insert "a" prior to "research"; replace "§ 270.65" with "40 CFR 270.65, or staging pile"	260.10 "miscellaneous unit"	260a.1(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†, ♦ replace “, which” with “that” after “debris”; replace “which” with “that” prior to “themselves”; remove “waste” after “exhibit a hazardous”; replace “, that” with “and” after “characteristic”; remove “the purpose of” prior to “implementing”; replace “implementing corrective” with “implementing cleanup”; delete remainder of text beginning with “action requirements...”	260.10 “remediation waste”	260a.1(a)	X			
†, ♦ add “remediation waste management site”	260.10 “remediation waste management site”	260a.1(a)	X			
†, ♦ add “staging pile”	260.10 “staging pile”	260a.1(a)	X			

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

† add new paragraph; dredged material subject to permit issued under the Federal Water Pollution Control Act or section 103 of Marine Protection, Research, and Sanctuaries Act of 1972 is not hazardous waste; for 261.4(g), following definitions apply:	261.4(g) intro	261a.1	X			
† <i>dredged material</i> has the same meaning as defined in 40 CFR 232.2;	261.4(g)(1)	261a.1	X			
† definition of <i>permit</i>	261.4(g)(2) intro	261a.1	X			
	261.4(g)(2)(i)					
	261.4(g)(2)(ii)					
	261.4(g)(2)(iii)					

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

†, ♦, 2 add new paragraph; subparts B, C, and D of 264 and 264.101 do not apply to cleanup only remediation waste management sites; owners/operators of remediation waste management sites must:	264.1(j) intro	264a.1(a)	X			
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Legal Statement Comment: Pennsylvania is not seeking authorization for corrective action at this time. Therefore, the Department is not seeking authorization for the exemption from the facility wide corrective action requirements. Instead, the Commonwealth is seeking authorization only to the extent that the provision provides an exemption from the standards in Subparts B, C, and D of 40 CFR Part 264. Note that as a HSWA provision, the Federal exemption from facility wide corrective action is a self-implementing regulation and is in effect in Pennsylvania as part of the Federally administered corrective action program. Thus, implementing the new requirements for remediation waste management sites is not in conflict with the Federal corrective action standards.

† add new paragraph; obtain an EPA identification number;	264.1(j)(1)	264a.1(a)	X			
† add new paragraph; obtain a detailed chemical and physical analysis of the hazardous remediation wastes; minimum requirements of analysis	264.1(j)(2)	264a.1(a)	X			
† add new paragraph; prevent people who are unaware of danger from entering, and minimize entry of unauthorized people or livestock onto active portion of remediation waste management site; exceptions	264.1(j)(3) intro	264a.1(a)	X			
	264.1(j)(3)(i)					
	264.1(j)(3)(ii)					

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraph; inspect remediation waste management site for problems that may cause or lead to release of hazardous waste; owner/operator must inspect often enough to correct problems before they harm or lead to hazards to human health or environment; where hazard is imminent or already occurred, owner/operator must take immediate remedial action	264.1(j)(4)	264a.1(a)	X			
† add new paragraph; provide personnel with training	264.1(j)(5)	264a.1(a)	X			
† add new paragraph; prevent ignition or reaction of ignitable, reactive or incompatible waste	264.1(j)(6)	264a.1(a)	X			
† add new paragraph; for certain sites design, construct, operate, and maintain unit within 100-year floodplain to prevent washout of hazardous waste	264.1(j)(7)	264a.1(a)	X			
† add new paragraph; not place any non-containerized or bulk liquid hazardous waste in any salt dome formation, salt bed formation, underground mine or cave;	264.1(j)(8)	264a.1(a)	X			
† add new paragraph; develop and maintain construction quality assurance program for certain units	264.1(j)(9)	264a.1(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† add new paragraph; develop and maintain procedures to prevent accidents and contingency and emergency plans to control accidents; required procedures	264.1(j)(10)	264a.1(a)	X			
† add new paragraph; designate at least one employee to coordinate all emergency response measures; emergency coordinator requirements	264.1(j)(11)	264a.1(a)	X			
† add new paragraph; develop, maintain and implement plan to meet 264.1(j)(2)-(j)(6) & (j)(9)-(j)(10) requirements	264.1(j)(12)	264a.1(a)	X			
† add new paragraph; maintain records documenting compliance with 264.1(j)(1)-(j)(12)	264.1(j)(13)	264a.1(a)	X			

SUBPART E - MANIFEST SYSTEM, RECORDKEEPING, AND REPORTING

OPERATING RECORD

† add new paragraph; any records required under 264.1(j)(13)	264.73(b)(17)	264a.1(a)	X			
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SUBPART F - RELEASES FROM SOLID WASTE MANAGEMENT UNITS

CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

†, ♦ add new paragraph; does not apply to remediation waste management sites unless part of a facility subject to permit for treating, storing or disposing of hazardous wastes that are not remediation wastes	264.101(d)	264a.1(a)	Not applicable; this revision addresses the exemption from corrective action. The Commonwealth is not authorized, nor is it seeking authorization, for the corrective action program at this time.			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART S - CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS

CORRECTIVE ACTION MANAGEMENT UNITS (CAMU)

†, ♦ completely revise paragraph; Regional Administrator may designate an area at facility as CAMU for purpose of implementing remedies under 264.101 or RCRA 3008(h) or to implement remedies at a facility that is not subject to 264.101; CAMU must be located within contiguous property under owner/operator control where wastes originated; one or more CAMUs may be designated at facility	264.552(a) intro	264a.1(a)	X			
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Legal Statement Comment: Pennsylvania is not seeking authorization for corrective action at this time. Therefore, the Department is not seeking authorization for the use of CAMUs for implementing remedies under a corrective action program. Instead, the Commonwealth is seeking authorization only to the extent that the provision allows the use of CAMUs for implementing remedies at a facility that is not subject to 40 CFR 264.101. Note that as a HSWA provision, the Federal exemption from facility wide corrective action for remediation waste management sites is a self-implementing regulation and is in effect in Pennsylvania as part of the Federally administered corrective action program. Thus, implementing the new requirements for remediation waste management sites is not in conflict with the Federal corrective action standards.

†, ♦ reprinted, no change	264.552(a)(1)	264a.1(a)	X			
†, ♦ reprinted, no change	264.552(a)(2)	264a.1(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
TEMPORARY UNITS (TU)						
completely revise paragraph; Regional Administrator may designate unit as temporary unit, for temporary tanks and container storage areas used to treat or store hazardous remediation wastes under 264.101 or RCRA 3008(h), or at permitted facility not subject to 264.101; temporary unit must be located within contiguous property under owner/ operator control where wastes originated; Regional Administrator may replace Part 264/265 design, operating, or closure standard with alternative requirements which protect human health and environment	264.553(a)	264a.1(a)	X			

Legal Statement Comment: Pennsylvania is not seeking authorization for corrective action at this time. Therefore, the Department is not seeking authorization for the use of temporary units for implementing remedies under a corrective action program. Instead, the Commonwealth is seeking authorization only to the extent that the provision allows the use of temporary units for implementing remedies at a facility that is not subject to 40 CFR 264.101. Note that as a HSWA provision, the Federal exemption from facility wide corrective action for remediation waste management sites is a self-implementing regulation and is in effect in Pennsylvania as part of the Federally administered corrective action program. Thus, implementing the new requirements for remediation waste management sites is not in conflict with the Federal corrective action standards.

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

†, ♦ STAGING PILES

add new section; staging piles	264.554	264a.1(a)	X			
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Legal Statement Comment: Pennsylvania is not seeking authorization for corrective action at this time. Therefore, the Department is not seeking authorization for the use of staging piles for implementing remedies under a corrective action program. Instead, the Commonwealth is seeking authorization only to the extent that the provision allows the use of staging piles for implementing remedies at a facility that is not subject to 40 CFR 264.101. Note that as a HSWA provision, the Federal exemption from facility wide corrective action for remediation waste management sites is a self-implementing regulation and is in effect in Pennsylvania as part of the Federally administered corrective action program. Thus, implementing the new requirements for remediation waste management sites is not in conflict with the Federal corrective action standards.

PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

†, ♦ replace "40 CFR 264.552 and 40 CFR 264.553" with "40 CFR 264.552, 264.553, and 264.554"	265.1(b)	265a.1(a)	X			
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

DEFINITIONS APPLICABLE IN THIS PART

†, ♦ insert "or staging pile" after "corrective action management unit"	268.2(c)	268a.1(a)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART E - PROHIBITIONS ON STORAGE

PROHIBITION ON STORAGE OF RESTRICTED WASTES

†, ♦, 3 add new paragraph; prohibition and requirements in 268.50 do not apply to hazardous remediation wastes stored in staging pile approved pursuant to 265.554	268.50(g)	268a.1(a)	X			
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PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

DEFINITIONS

† add "Remedial Action Plan (RAP)"	270.2	270a.1(a) 270a.2(b)	X			
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SUBPART B - PERMIT APPLICATION

SIGNATORIES TO PERMIT APPLICATIONS AND REPORTS

†, 4, 5 redesignate 270.11(d) as 270.11(d)(1); replace "must make" with "shall make"; in certification statement, replace "in accordance with" with "according to"; remove "be" in "to be the best of my knowledge"	270.11(d)(1)	270a.1(a)	X			
† add new paragraph; for RAPs under 270 subpart H, owner may make the certification at 270.11(d)(2) instead of 270.11(d)(1); certification statement	270.11(d)(2)	270a.1(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART D - CHANGES TO PERMITS

PERMIT MODIFICATION AT THE REQUEST OF THE PERMITTEE

†, ♦ add entries D.3.g and N.3 as follows:

270.42, Appendix I

270a.1(a)

X

Modifications												Class
*	*	*	*	*	*	*	*	*	*	*	*	*
D. Closure												
*	*	*	*	*	*	*	*	*	*	*	*	*
3. Addition of the following new units to be used temporarily for closure activities:												
*	*	*	*	*	*	*	*	*	*	*	*	*
g. Staging piles												2
*	*	*	*	*	*	*	*	*	*	*	*	*
N. Corrective Action:												
*	*	*	*	*	*	*	*	*	*	*	*	*
3. Approval of a staging pile or staging pile operating term extension pursuant to § 264.554												2

SUBPART F - SPECIAL FORMS OF PERMITS

† REMEDIAL ACTION PLANS (RAPs)

6 add new section; RAPs are special forms of permits regulated under 270 subpart H

270.68

270a.1(a)

X

SUBPART G - INTERIM STATUS

TERMINATION OF INTERIM STATUS

†, 7 insert “, except an application for a remedial action plan (RAP) under subpart H of this part,” following “application”

270.73(a)

270a.1(a)

X

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART H - REMEDIAL ACTION PLANS (RAPs)

† WHY IS THIS SUBPART WRITTEN IN A SPECIAL FORMAT?

add new subpart; subpart is written in special format to make regulatory requirements easier to understand; establishes enforceable legal requirements; "I" and "you" refer to owner/operator

270.79

270a.1(a)

X

† WHAT IS A RAP?

add new section; explanation of a RAP; when RAPs may be issued

270.80

270a.1(a)

X

† WHEN DO I NEED A RAP?

treatment, storage, or disposal of hazardous remediation wastes in manner requiring permit under 270.1, either obtain a permit or RAP

270.85

270a.1(a)

X

† DOES MY RAP GRANT ME ANY RIGHTS OR RELIEVE ME OF ANY OBLIGATIONS?

the provisions of 270.4 apply to RAPs

270.90

270a.1(a)

X

† HOW DO I APPLY FOR A RAP?

to apply for RAP, complete & sign application and submit to Director according to 270 subpart H requirements

270.95

270a.1(a)

X

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† WHO MUST OBTAIN A RAP?						
when facility or remediation waste management site is owned by one person, but treatment, storage or disposal activities are operated by another, operator must obtain a RAP	270.100	270a.1(a)	X			
† WHO MUST SIGN THE APPLICATION AND ANY REQUIRED REPORTS FOR A RAP?						
both owner & operator must sign RAP application according to 270.11(a)-(c); both owner & operator must also make the 270.11(d)(1) certification; owner may choose 270.11(d)(2) certification if operator certifies under 270.11(d)(1)	270.105	270a.1(a)	X			
† WHAT MUST I INCLUDE IN MY APPLICATION FOR A RAP?						
requirements for RAP application	270.110	270a.1(a)	X			
† WHAT IF I WANT TO KEEP THIS INFORMATION CONFIDENTIAL?						
any or all information submitted to EPA under 270 subpart H can be claimed confidential; to assert claim, stamp "confidential business information" on each page; information claimed as confidential will be subjected to 40 CFR part 2 procedures; without a claim, information may be made available to public without further notice; any requests for name and/or address confidentiality will be denied	270.115	270a.1(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† TO WHOM MUST I SUBMIT MY RAP APPLICATION?						
applications for RAP must be submitted to Director	270.120	270a.1(a)	X			
† IF I SUBMIT MY RAP APPLICATION AS PART OF ANOTHER DOCUMENT, WHAT MUST I DO?						
when submitting applications for RAP as part of another document, clearly identify the components constituting your RAP	270.125	270a.1(a)	X			
† WHAT IS THE PROCESS FOR APPROVING OR DENYING MY APPLICATION FOR A RAP?						
process for approving or denying a RAP application	270.130	270a.1(a)	X			
† WHAT MUST THE DIRECTOR INCLUDE IN A DRAFT RAP?						
if Director prepares draft RAP, what it must include	270.135	270a.1(a)	X			
† WHAT ELSE MUST THE DIRECTOR PREPARE IN ADDITION TO THE DRAFT RAP OR NOTICE OF INTENT TO DENY?						
preparation of tatement of basis and administrative record	270.140	270a.1(a)	X			
† WHAT ARE THE PROCEDURES FOR PUBLIC COMMENT ON THE DRAFT RAP OR NOTICE OF INTENT TO DENY?						
procedures for public comment on the draft RAP or NOI	270.145	270a.1(a)	X			
† HOW WILL THE DIRECTOR MAKE A FINAL DECISION ON MY RAP APPLICATION?						
procedures for final decision of a RAP application	270.150	270a.1(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† MAY THE DECISION TO APPROVE OR DENY MY RAP APPLICATION BE ADMINISTRATIVELY APPEALED?						
any commenter or public hearing participant may appeal decision to approve or deny a RAP application under 124.19; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision; notice of RAP application review will be given under 270.145	270.155	270a.1(a)	X			
† WHEN DOES MY RAP BECOME EFFECTIVE?						
RAP becomes effective 30 days after approval; exceptions	270.160	270a.1(a)	X			
† WHEN MAY I BEGIN PHYSICAL CONSTRUCTION OF NEW UNITS PERMITTED UNDER THE RAP?						
physical construction of newly permitted units must not begin before final RAP is received	270.165	270a.1(a)	X			
† AFTER MY RAP IS ISSUED, HOW MAY IT BE MODIFIED, REVOKED AND REISSUED, OR TERMINATED?						
RAP must specify procedures for modifications, revocations and reissuance, or termination; procedures must provide for public review & comment; if RAP is part of traditional RCRA permit, will be modified according to 270.40-270.42, revoked & reissued according to 270.41 & 270.43, or terminated according to 270.43	270.170	270a.1(a)	X			

RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO MODIFY MY FINAL RAP?

final RAP may be modified on Director's initiative for listed reasons only; if reasons don't exist, RAP only modified at your request; reasons for modification	270.175	270a.1(a)	X			
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† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO REVOKE AND REISSUE MY FINAL RAP?

final RAP may be revoked & reissued on Director's initiative for following reasons only; if reasons don't exist, RAP only revoked & reissued at your request; reasons for revocation and reissuance are same as those for modification in 270.175(a)(5)-(8)	270.180	270a.1(a)	X			
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† FOR WHAT REASONS MAY THE DIRECTOR CHOOSE TO TERMINATE MY FINAL RAP, OR DENY MY RENEWAL APPLICATION?

final RAP may be terminated or renewal application denied on Director's initiative, for same reasons as in 270.175(a)(5)-(7)	270.185	270a.1(a)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

† MAY THE DECISION TO APPROVE OR DENY A MODIFICATION, REVOCATION AND REISSUANCE, OR TERMINATION OF MY RAP BE ADMINISTRATIVELY APPEALED?

any commenter or public hearing participant may appeal decision to approve RAP modification, revocation & reissuance or termination according to 270.155; persons who did not comment or participate in hearings may only petition for review of changes made between draft & final RAP decision	270.190	270a.1(a)	X			
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† WHEN WILL MY RAP EXPIRE?

RAPs issued for fixed term not to exceed 10 years, although up to 10 year renewals are possible; Director must review RAP for LDR 5 years after issuance or reissuance and assure continued compliance with RCRA 3004 & 3005	270.195	270a.1(a)	X			
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† HOW MAY I RENEW MY RAP IF IT IS EXPIRING?

to renew expiring RAP, follow application & issuance process in 270 subpart H	270.200	270a.1(a)	X			
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† WHAT HAPPENS IF I HAVE APPLIED CORRECTLY FOR A RAP RENEWAL BUT HAVE NOT RECEIVED APPROVAL BY THE TIME MY OLD RAP EXPIRES?

if RAP renewal application has been submitted, but no new RAP has been issued before expiration date, previous RAP conditions continue	270.205	270a.1(a)	X			
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† WHAT RECORDS MUST I MAINTAIN CONCERNING MY RAP?

records are required of:	270.210 intro	270a.1(a)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
data used to complete applications & supplemental information submitted, for at least 3 years; and	270.210(a)	270a.1(a)	X			
any operating and/or other records the Director requires	270.210(b)	270a.1(a)	X			

† HOW ARE TIME PERIODS IN THE REQUIREMENTS IN THIS SUBPART AND MY RAP COMPUTED?

any time period scheduled to begin on occurrence of act or event begins on day after act or event	270.215(a)	270a.1(a)	X			
any time period scheduled to begin before occurrence of act or event is computed so period ends on day before act or event	270.215(b)	270a.1(a)	X			
if final day of time period falls on weekend or holiday, extend time period to next working day	270.215(c)	270a.1(a)	X			
whenever party must act within prescribed period & is served notice by mail, add 3 days to prescribed period	270.215(d)	270a.1(a)	X			

† HOW MAY I TRANSFER MY RAP TO A NEW OWNER OR OPERATOR?

transferring RAP to new owner/operator	270.220	270a.1(a)	X			
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† WHAT MUST THE STATE OR EPA REGION REPORT ABOUT NONCOMPLIANCE WITH RAPs?

State or EPA Region must report RAP noncompliance according to 270.5	270.225	270a.1(a)	X			
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RCRA REVISION CHECKLIST 175: HWIR-Media (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† MAY I PERFORM REMEDIATION WASTE MANAGEMENT ACTIVITIES UNDER A RAP AT A LOCATION REMOVED FROM THE AREA WHERE THE REMEDIATION WASTES ORIGINATED?						
remediation waste management RAP may be requested for location removed from area of waste origination if location is more protective	270.230	270a.1(a)	X			

† Optional.

- 1 The "corrective action management unit" definition at §270.2 should have also been revised by the HWIR-media rule in the same fashion as this definition was revised in §260.10. Thus, the two definitions are inconsistent. A State adopting this rule, should revise its analogs to both definitions.
- 2 Section 264.1(j) intro is a HSWA provision as it applies to facility-wide corrective action at remediation waste management site and a non-HSWA provision to the extent that it addresses the requirements relative to 40 CFR Part 264, Subparts B, C, and D.
- 3 There appears to be an omission in 268.50(g). Following "prohibition and requirements in this" should probably be "section" to refer to the 268.50 prohibitions.
- 4 In redesignating 270.11(d) as 270.11(d)(1), in the November 30, 1998 rule (63 FR 65941), it appears as though the title of paragraph (d), "*Certification*", has been removed. It is assumed that 270.11(d) intro remains in the code but only contains the paragraph's title, "*Certification*".
- 5 There appears to be an omission in 270.11(d)(1). Following "paragraph (a) or (b) of this" the word "section" should be reinserted to refer to 270.11(a) & (b).
- 6 The November 30, 1998 (64 FR 65874) rule adds a new section at 270.68. There is no § 270.67; therefore, it is assumed to be reserved.
- 7 In revising this provision, EPA has replaced the ending "; or" with a period. This appears to be an error as interim status terminates when either 270.73(a) or 270.73(b) occurs. When adopting this Rule, States are advised to leave the ending "; or" intact at 270.73(a).

RCRA REVISION CHECKLIST 176

Universal Waste Rule -- Technical Amendments

63 FR 71225-71230

December 24, 1998

(RCRA Cluster IX, non-HSWA)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI- N- GENT	MORE STRI- N- GENT	BROADE R IN SCOPE

PART 266 - STANDARDS FOR THE MANAGEMENT OF SPECIFIC HAZARDOUS WASTES
AND SPECIFIC TYPES OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART G - SPENT LEAD-ACID BATTERIES BEING RECLAIMED

†,1 APPLICABILITY AND REQUIREMENTS

completely revise; if spent lead-acid batteries are generated, collected, transported, stored, or regenerated for reclamation, they may be exempt from certain requirements; use table shown at 63 FR 71230 to determine applicable requirements; alternatively, the part 273 Universal Waste rule may be used to manage spent lead-acid batteries	266.80(a)	266a.20			X	
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Legal Statement Comment: The Commonwealth incorporates by reference, without change, the provision at 40 CFR 266.80(a). Pennsylvania, however, is more stringent. At 266a.80, the regulations clarify that facilities that treat spent lead-acid batteries prior to reclamation are subject to full regulation and must obtain a permit or interim status. The Federal program only requires a permit for the storage of such materials prior to reclamation.

add new table; spent lead-acid batteries exemptions	266.80(a)/Table	266a.20	X			
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RCRA REVISION CHECKLIST 176: Universal Waste Rule -- Technical Amendments (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI N- GENT	MORE STRI N- GENT	BROADE R IN SCOPE
completely revise; spent lead-acid batteries that are stored prior to being reclaimed through any means except regeneration, are subject to 266.80(b) requirements; requirements differ slightly depending upon RCRA permit status	266.80(b)	266a.20	X			

RCRA REVISION CHECKLIST 176: Universal Waste Rule -- Technical Amendments (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIVALENT	LESS STRINGENT	MORE STRINGENT	BROADER IN SCOPE
2 Interim Status Facilities must comply with specified requirements	266.80(b)(1) intro	266a.20	X			
	266.80(b)(1)(i)					
	266.80(b)(1)(ii)					
	266.80(b)(1)(iii)					
	266.80(b)(1)(iv)					
	266.80(b)(1)(v)					
	266.80(b)(1)(vi)					
	266.80(b)(1)(vii)					
2 Permitted Facilities must comply with specified requirements	266.80(b)(2) intro	266a.20	X			
	266.80(b)(2)(i)					
	266.80(b)(2)(ii)					
	266.80(b)(2)(iii)					
	266.80(b)(2)(iv)					
	266.80(b)(2)(v)					
	266.80(b)(2)(vi)					
	266.80(b)(2)(vii)					

PART 273 - STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A - GENERAL

†,1 DEFINITIONS

remove "more than" prior to "5,000"; insert "or more" prior to "total"	273.6 "small quantity handler of universal waste"	266b.1	X			
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¹ While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditional.

RCRA REVISION CHECKLIST 176: Universal Waste Rule -- Technical Amendments (cont'd)

- 2 EPA is restoring and reorganizing the management rules for storing spent lead-acid batteries before reclamation that were mistakenly deleted in the final Universal Waste Rule (60 FR 25492).

RCRA REVISION CHECKLIST 177

Organic Air Emission Standards: Clarification and Technical Amendments

64 FR 3382

January 21, 1999

(RCRA Cluster IX, HSWA provisions)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART B - THE MANIFEST

ACCUMULATION TIME

insert "the applicable requirements of" after "complies with"; change "subpart" to "subparts"; insert ", AA, BB, and CC" after "subparts I"	262.34(a)(1)(i)	262a.10	X			
insert "the applicable requirements of" after "complies with"; change "subpart" to "subparts"; insert ", AA, BB, and CC" after "subparts J"; remove comma after "part 265"	262.34(a)(1)(ii)	262a.10	X			

PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

SUBPART AA - AIR EMISSION STANDARDS FOR PROCESS VENTS

DEFINITIONS

revise "Equipment"; insert "or other connector" after "flange"	264.1031	264a.1(a)	X			
revise "Open-ended valve or line"; replace "process fluid" with "hazardous waste"	264.1031	264a.1(a)	X			
add "sampling connection system" definition in alphabetic order	264.1031	264a.1(a)	X			

**RCRA REVISION CHECKLIST 177: Organic Air Emission Standards:
Clarification and Technical Amendments (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

**SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS,
AND CONTAINERS**

APPLICABILITY

replace "generated" with "placed in the unit"; replace "the result" with "a result"; add comma after "3004(v)"; replace comma with semicolon after "3008(h)" and after "authorities"	264.1080(b)(5)	264a.1(a)	X			
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WASTE DETERMINATION PROCEDURES

add new paragraph; average VO concentration of waste stream shall be determined before first time material in hazardous waste stream is placed in unit exempted under 264.1082(c)(1) from using air emission controls, thereafter concentration shall be determined for each averaging period that hazardous waste is managed in unit; and	264.1083(a)(1)(i)	264a.1(a)	X			
add new paragraph; perform new determination when changes to generating source are likely to cause concentration to increase to level equal to or greater than limit specified in 264.1082	264.1083(a)(1)(ii)	264a.1(a)	X			

**RCRA REVISION CHECKLIST 177: Organic Air Emission Standards:
Clarification and Technical Amendments (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; average VO concentration of waste stream shall be determined before first time material in treated waste stream is placed in exempt unit, thereafter update determination information at least once every 12 months; and	264.1083(b)(1)(i)	264a.1(a)	X			
add new paragraph; perform new determination when process generating or treating waste stream changes are likely to cause concentration to increase such that 264.1082(c)(2) treatment conditions are not achieved	264.1083(b)(1)(ii)	264a.1(a)	X			
STANDARDS: TANKS						
1 replace "in the event...unsafe condition" with "under either of the following conditions as specified in paragraph (h)(3)(i) or (h)(3)(ii) of this section"	264.1084(h)(3)	264a.1(a)	X			
add new paragraph; when opening safety device is required to avoid unsafe condition	264.1084(h)(3)(i)	264a.1(a)	X			
add new paragraph; when purging of inerts from tank is required and purge stream is routed to closed- vent system and control device designed & operated according to 264.1087	264.1084(h)(3)(ii)	264a.1(a)	X			

**RCRA REVISION CHECKLIST 177: Organic Air Emission Standards:
Clarification and Technical Amendments (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

STANDARDS: CONTAINERS

add new paragraph; transfer of hazardous waste in or out of container using Container Level 3 controls shall be conducted to minimize exposure to atmosphere; examples of acceptable container loading procedures	264.1086(e)(6)	264a.1(a)	X			
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**PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

**SUBPART CC - AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS,
AND CONTAINERS**

APPLICABILITY

replace "generated" with "placed in the unit"; replace "the result" with "a result"; removed "RCRA" from after "under the"; insert "RCRA sections" before "3004(u)"; add comma after "3004(v)"; replace comma with semicolon after "3008(h)" and after "authorities"	265.1080(b)(5)	265a.1(a)	X			
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**RCRA REVISION CHECKLIST 177: Organic Air Emission Standards:
Clarification and Technical Amendments (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
WASTE DETERMINATION PROCEDURES						
add new paragraph; average VO concentration of waste stream shall be determined before first time material in hazardous waste stream is placed in unit exempted under 265.1083(c)(1) from using air emission controls, thereafter concentration shall be determined for each averaging period hazardous waste is managed in unit; and	265.1084(a)(1)(i)	265a.1(a)	X			
add new paragraph; perform new determination when changes to generating source are likely to cause concentration to increase to level equal to or greater than limit specified in 265.1083(c)(1)	265.1084(a)(1)(ii)	265a.1(a)	X			
after first sentence, insert new sentence "All of the samples for a given waste determination shall be collected within a one- hour period."	265.1084(a)(3)(ii)(B)	265a.1(a)	X			
add new paragraph; sufficient information to document waste quantity and operating conditions represented by samples	265.1084(a)(3)(ii)(D)	265a.1(a)	X			
revise paragraph; analysis	265.1084(a)(3)(iii)	265a.1(a)	X			

**RCRA REVISION CHECKLIST 177: Organic Air Emission Standards:
Clarification and Technical Amendments (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
add new paragraph; average VO concentration of waste stream shall be determined before first time material in treated waste stream is placed in exempt unit, thereafter update determination information at least once every 12 months; and	265.1084(b)(1)(i)	265a.1(a)	X			
add new paragraph; perform new determination when process generating or treating waste stream changes are likely to cause concentration to increase such that treatment conditions are not achieved	265.1084(b)(1)(ii)	265a.1(a)	X			
after first sentence, insert new sentence "All of the samples for a given waste determination shall be collected within a one- hour period."; remove "source or"; insert "or treating" after "generating"	265.1084(b)(3)(ii)(B)	265a.1(a)	X			
add new paragraph; sufficient information to document waste quantity and operating conditions represented by the samples	265.1084(b)(3)(ii)(D)	265a.1(a)	X			
revise paragraph; analysis	265.1084(b)(3)(iii)	265a.1(a)	X			

**RCRA REVISION CHECKLIST 177: Organic Air Emission Standards:
Clarification and Technical Amendments (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

STANDARDS: TANKS

1 replace "in the event...unsafe condition" with "under either of the following conditions as specified in paragraph (h)(3)(i) or (h)(3)(ii) of this section"	265.1085(h)(3)	265a.1(a)	X			
2 add new paragraph; when opening safety device is required to avoid unsafe condition	265.1085(h)(3)(i)	265a.1(a)	X			
add new paragraph; when purging of inerts from tank is required and purge stream is routed to closed-vent system and control device designed & operated according to 265.1088	265.1085(h)(3)(ii)	265a.1(a)	X			

STANDARDS: CONTAINERS

add new paragraph; transfer of hazardous waste in or out of container using Container Level 3 controls shall be conducted to minimize exposure to atmosphere; examples of acceptable container loading procedures	265.1087(e)(6)	265a.1(a)	X			
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- 1 There is a typographical error in the revised paragraphs: "under either or the following conditions" should be "under either of the following conditions".
- 2 States should be sure to add a new paragraph at 265.1085(h)(3)(i), and not replace 265.1085(i), which currently follows 265.1085(h)(3).

RCRA REVISION CHECKLIST 178

Petroleum Refining Process Wastes -- Leachate Exemption

64 FR 6806

February 11, 1999

(RCRA Cluster IX, HSWA)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE

SUBPART A - GENERAL

EXCLUSIONS

† add new paragraph; leachate or gas condensate collected from landfills where certain solid wastes previously disposed, provided:	261.4(b)(15) intro	261a.1	X			
† solid wastes disposed meet one or more listing descriptions for K169- K172 if wastes had been generated after effective date of listing (February 8, 1999);	261.4(b)(15)(i)	261a.1	X			
† solid wastes in 261.4(b)(15)(i) were disposed prior to effective date of listing;	261.4(b)(15)(ii)	261a.1	X			
† leachate or gas condensate do not exhibit any characteristic of hazardous waste nor are derived from any other listed hazardous waste;	261.4(b)(15)(iii)	261a.1	X			
† discharge of leachate or gas condensate, including transfer from the landfill to a POTW by truck, rail or dedicated pipe, is subject to 307(b) or 402 of CWA	261.4(b)(15)(iv)	261a.1	X			

RCRA REVISION CHECKLIST 178: Petroleum Refining Process Wastes
-- Leachate Exemption (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
† after February 13, 2001, leachate or gas condensate will no longer be exempt if stored or managed in surface impoundment prior to discharge; exception if surface impoundment is used to temporarily store in response to an emergency	261.4(b)(15)(v)	261a.1	X			

RCRA REVISION CHECKLIST 179

Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards

64 FR 25408-25417

May 11, 1999

(RCRA Cluster IX, HSWA/non-HSWA provisions)

Note that the revisions to 262.34(d)(4), 268.2(h), 268.2(k), 268.7(a)(4)/table, 268.7(b)(3)(ii)/Table, 268.7(b)(4)(iv), 268.9(d)(2) intro, 268.9(d)(2)(i), 268.40(i), 268.40(j), 268.40/Table, 268.48(a)/Table, 268.49(c)(3) intro, 268.49(c)(3)(A)&(B) were made pursuant to HSWA. The revisions to 261.2(c)(3), 261.2(c)(4)/Table, 261.2(e)(1)(iii), first paragraph 261.4(a)(16), 261.4(a)(17) introductory paragraph, 261.4(a)(17)(v), and 261.4(b)(7)(iii)&(iii)(A) were made relative to non-HSWA authority. Those provisions designated as HSWA are identified by a "♦" (diamond symbol) in this checklist.

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE						
SUBPART A - GENERAL						
DEFINITION OF SOLID WASTE						
replace both references to "40 CFR 261.4(a)(15)" to "40 CFR 261.4(a)(17)"	261.2(c)(3)	261a.1	X			
in heading of column 3 of Table 1 replace "261.4(a)(15)" with "261.4(a)(17)"	261.2(c)(4)/Table	261a.1	X			
reinsert language at beginning of paragraph: "Returned to the original process....no placement on land; in the existing sentence replace reference to "§ 261.4(a)(15)" with "§ 261.4(a)(17)"	261.2(e)(1)(iii)	261a.1	X			
EXCLUSIONS						
redesignate first paragraph 261.4(a)(16) as 261.4(a)(17)	first paragraph 261.4(a)(16)	261a.1	X			
insert "or by beneficiation" after "by mineral processing"	261.4(a)(17) intro	261a.1	X			

**RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
†★ insert "non" before "land-based units"	261.4(a)(17)(v)	261a.1	X			
insert "or with normal mineral processing raw materials" after "beneficiation raw materials"	261.4(b)(7)(iii)	261a.1	X			
insert "or normal mineral processing raw materials after "beneficiation raw materials"	261.4(b)(7)(iii)(A)	261a.1	X			

PART 262 - STANDARDS APPLICABLE TO GENERATORS OF HAZARDOUS WASTE

SUBPART C - PRE-TRANSPORT REQUIREMENTS

ACCUMULATION TIME

◆,†★ replace reference "40 CFR 268.7(a)(4)" with "40 CFR 268.7(a)(5)"	262.34(d)(4)	262a.10	X			
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PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

DEFINITIONS APPLICABLE IN THIS PART

◆,†★ at end of paragraph add "Any deliberate mixing of prohibited hazardous waste with debris that changes its treatment classification (i.e., from waste to hazardous debris) is not allowed under the dilution prohibition in § 268.3."	268.2(h)	268a.1(a)	X			
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**RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUI- VALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
◆,†★ add "Natural Resources" before "Conservation Service"; at end of paragraph add "Any deliberate mixing of prohibited hazardous waste with soil that changes its treatment classification (i.e., from waste to contaminated soil) is not allowed under the dilution prohibition in Sec. 268.3."	268.2(k)	268a.1(a)	X			

TESTING, TRACKING , AND RECORDKEEPING REQUIREMENTS FOR GENERATORS, TREATERS, AND DISPOSAL FACILITIES

◆,†★ in the "Generator Paperwork Requirements Table" revise entry 1. by adding a "✓" in columns 1, 2 and 4; revise entry 3. by adding a "✓" in column 2; and revise entry 8. by adding a "✓" in column 2	268.7(a)(4)/Table	268a.1(a)	X			
◆ in the "Treatment Facility Paperwork Requirements Table" revise entry 1. by placing a "✓" in the column titled § 268.7(b)	268.7(b)(3)(ii)\Table	268a.1(a)	X			

**RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
◆,†★ remove "required" from before "method of treatment"; insert ", or § 268.49, and," after "method of treatment"; remove "are reasonably expected to" before "contain underlying"; insert "if these wastes" before "are treated on-site"; insert "or 268.49" after "40 CFR 268.40"; remove "universal" from before "treatment standards."	268.7(b)(4)(iv)	268a.1(a)	X			

SPECIAL RULES REGARDING WASTES THAT EXHIBIT A CHARACTERISTIC

◆,†★ replace reference to "§268.7(b)(5)" with "§268.7(b)(4)"	268.9(d)(2) intro	268a.1(a)	X			
◆,†★ replace "but does not treat" with "but does not meet standards applicable to"; replace reference to "§ 268.7(b)(5)(iv)" with "268.7(b)(4)(iv)"	268.9(d)(2)(i)	268a.1(a)	X			

APPLICABILITY OF TREATMENT STANDARDS

◆,4 revise first 268.40(i); replace "Zinc-containing fertilizers" with "Zinc micronutrient fertilizers"	first 268.40(i)	268a.1(a)	X			
◆,4 redesignate second 268.40(i) as 268.40(j)	second 268.40(i)	268a.1(a)	X			
◆,4 redesignated from second 268.40(i)	268.40(j)	268a.1(a)	X			
◆ revise the entries for K088, K156, K159, P194, U404 and U408, and footnotes 8 and 11	268.40/Table	268a.1(a)	X			

**RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections
and Clarifications to Treatment Standards (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

UNIVERSAL TREATMENT STANDARDS

◆,5 add footnote number 6 in column one, under the heading Regulated Constituents/Common Name, after the following chemical names:
 "Aldicarb sulfone",
 "Barban," "Bendiocarb,"
 "Benomyl," "Butylate,"
 "Carbaryl," "Carbenzadim,"
 "Carbofuran," "Carbofuran-phenol," "Carbosulfan,"
 "m-Cumenyl-methylcarbamate,"
 "Dithiocarbamates (total),"
 "EPTC," "Formetanate hydrochloride,"
 "Methiocarb," "Methomyl,"
 "Metolcarb," "Mexacarbate,"
 "Molinate," "Oxamyl,"
 "Pebulate," "Physostigmine,"
 "Physostigmine salicylate,"
 "Promecarb," "Propham,"
 "Propoxur," "Prosulfocarb,"
 "Thiodicarb,"
 "Thiophanate-methyl,"
 "Triallate," "Triethylamine,"
 and "Vernolate"; add footnote 6 "6. Between August 26, 1998 and March 4, 1999, these constituents are not "underlying hazardous constituents" as defined in Sec. 268.2(i) of this part."

268.48(a)/Table

268a.1(a)

X

ALTERNATIVE LDR TREATMENT STANDARDS FOR CONTAMINATED SOIL

◆,†★ no revision made

268.49(c)(3) intro

268a.1(a)

X

RCRA REVISION CHECKLIST 179: Land Disposal Restrictions Phase IV -- Technical Corrections and Clarifications to Treatment Standards (cont'd)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
♦,†★ replace “also contains analyzable constituents,” with “contains only analyzable and nonanalyzable organic constituents,”; replace “treatment of those analyzable constituents” with “treatment of the analyzable organic constituents”	268.49(c)(3)(A)	268a.1(a)	X			
♦,†★ replace “method specified” with “method(s) specified”	268.49(c)(3)(B)	268a.1(a)	X			

†★ Conditionally optional. While the provisions indicated were optional when first added to the CFR, States which have chosen to adopt them must also adopt the subsequent revisions. The revisions, therefore, are considered conditionally optional.

- 1 The May 26, 1998 (CL 167D) rule inadvertently removed the provision language at § 261.2(e)(1)(iii) and replaced it with the additional language which was intended to be added at the end of the paragraph. The original language has been reinserted by Revision Checklist 179 at the beginning of the paragraph, and the May 26, 1998 (CL 167D) addition (now the last sentence of the provision) has been revised to indicate the correct internal reference.
- 2 Paragraph 261.4(a)(16) was added by 63 FR 28556 (May 26, 1998, Revision Checklist 167). A second paragraph 261.4(a)(16) was added in error by the 63 FR 33782 (June 19, 1998, Revision Checklist 168) rule. The first paragraph 261.4(a)(16) was redesignated by the May 11, 1999 (64 FR 25408, Revision Checklist 179) rule as 261.4(a)(17).
- 3 A typographical error exists at the redesignated § 261.4(a)(17)(iii). The internal reference “paragraph (a)(15)(iv)” should be “paragraph (a)(17)(iv)”.
- 4 Paragraph 268.40(i) was added by 63 FR 46332-46334 (August 31, 1998, Revision Checklist 170) and a second paragraph 268.40(i) was added 63 FR 47410-47418 (September 4, 1998, Revision Checklist 171). While the instructions for the 64 FR 25408 rule (May 11, 1999, Revision Checklist 179) indicate that the first paragraph should be redesignated as 268.40(j), the revisions made by this rule to 268.40(i) are made to the language introduced by the first paragraph; therefore, it is assumed that the second paragraph 268.40(i) should be redesignated as 268.40(j), and the first paragraph 268.40(i) revised as indicated in the rule.
- 5 63 FR 47410-47418 (September 4, 1998, Revision Checklist 171) incorrectly removed footnote 6 from 268.48(a)/table. The footnote has been reinserted by Revision Checklist 179 (May 11, 1999, 64 FR 25408).

RCRA REVISION CHECKLIST 180

Test Procedures for the Analysis
of Oil and Grease and Non-Polar Material
64 FR 26315-26327
May 14, 1999
(RCRA Cluster IX, Non-HSWA)

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE

PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

SUBPART B - DEFINITIONS

REFERENCES

revise reference to "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods" by inserting "dated" before "July 1992", "September 1994", August 1993", "January 1995", and "December 1996"; add new reference to Update IIIA; insert new sentence regarding the availability of Update IIIA; insert "all of" before "its updates"; revise phone numbers for NTIS; add address of the Office of the Federal Register	260.11(a)(11)	260a.1(a)	X			
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**RCRA REVISION CHECKLIST 180: Test Procedures for the Analysis of
Oil and Grease and Non-Polar Material (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADE R IN SCOPE
add to the list of publications incorporated by reference, new Method 1664, Revision A, n-Hexane Extractable Material (HEM; Oil and Grease) and Silica Gel Treated n-Hexane Extractable Material (SGT-HEM; Non-polar Material) by Extraction and Gravimetry	260.11(a)(16)	260a.1(a)	X			

RCRA REVISION CHECKLIST 181

Universal Waste Rule: Specific Provisions for Hazardous Waste Lamps

64 FR 36466-36490

July 6, 1999

(RCRA Cluster X, Non-HSWA)

Note: In order for a state to receive authorization for this checklist, which adds spent hazardous waste lamps to the list of universal wastes, it must first have authorization for Revision Checklist 142 A (universal waste).

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:					
			EQUIV- ALENT	LESS STRI N- GENT	MORE STRI N- GENT	BROADER IN SCOPE		
PART 260 - HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL								
SUBPART B - DEFINITIONS								
DEFINITIONS								
† add "Lamp" in alphabetical order	260.10	260a.1(a)	X					
1,† in definition of "universal waste", introduction, replace "40 CFR part 273" with "part 273 of this chapter"; subparagraph (1), replace "40 CFR 273.2" with "§ 273.2 of this chapter"; subparagraph (2), replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"; subparagraph (3), replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"; add subparagraph (4) addressing lamps	260.10	260a.1(a)	X					
PART 261 - IDENTIFICATION AND LISTING OF HAZARDOUS WASTE								
SUBPART A - GENERAL								
REQUIREMENTS FOR UNIVERSAL WASTE								
† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	261.9(b)	261a.1	X					

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI- N- GENT	MORE STRI- N- GENT	BROADER IN SCOPE
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	261.9(c)	261a.1	X			
† add paragraph addressing lamps	261.9(d)	261a.1	X			

**PART 264 - STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS WASTE
TREATMENT, STORAGE, AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	264.1(g)(11)(ii)	264a.1(a)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	264.1(g)(11)(iii)	264a.1(a)	X			
† add subparagraph addressing lamps	264.1(g)(11)(iv)	264a.1(a)	X			

**PART 265 - INTERIM STATUS STANDARDS FOR OWNERS AND OPERATORS OF HAZARDOUS
WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

SUBPART A - GENERAL

PURPOSE, SCOPE AND APPLICABILITY

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	265.1(c)(14)(ii)	265a.1(a)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	265.1(c)(14)(iii)	265a.1(a)	X			
† add subparagraph addressing lamps	265.1(c)(14)(iv)	265a.1(a)	X			

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI- N- GENT	MORE STRI- N- GENT	BROADER IN SCOPE

PART 268 - LAND DISPOSAL RESTRICTIONS

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	268.1(f)(2)	268a.1(a)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	268.1(f)(3)	268a.1(a)	X			
† add subparagraph addressing lamps	268.1(f)(4)	268a.1(a)	X			

PART 270 - EPA ADMINISTERED PERMIT PROGRAMS: THE HAZARDOUS WASTE PERMIT PROGRAM

SUBPART A - GENERAL INFORMATION

PURPOSE AND SCOPE OF THESE REGULATIONS

† replace "40 CFR 273.3; and" with "§ 273.3 of this chapter;"	270.1(c)(2)(viii)(B)	270a.1(a)	X			
† replace "40 CFR 273.4." with "§ 273.4 of this chapter; and"	270.1(c)(2)(viii)(C)	270a.1(a)	X			
† add subparagraph addressing lamps	270.1(c)(2)(viii)(D)	270a.1(a)	X			

PART 273 - STANDARDS FOR UNIVERSAL WASTE MANAGEMENT

SUBPART A - GENERAL

SCOPE

† replace "40 CFR 273.3; and" with "§ 273.3;"	273.1(a)(2)	266b.1	X			
† replace "40 CFR 273.4." with "§ 273.4; and"	273.1(a)(3)	266b.1	X			

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI- N- GENT	MORE STRI- N- GENT	BROADER IN SCOPE
† add subparagraph addressing lamps	273.1(a)(4)	266b.1	X			
APPLICABILITY - BATTERIES						
† replace "§ 273.6" with "§ 273.9"	273.2(a)(1)	266b.1	X			
† replace "§ 273.6" with "§ 273.9"	273.2(b)(2)	266b.1	X			
† replace "§ 273.6" with "§ 273.9"; remove "40 CFR" before "part 261" and insert "of this chapter" after "subpart C"	273.2(b)(3)	266b.1	X			
APPLICABILITY - PESTICIDES						
† replace "40 CFR" with "this"; replace "§ 273.6" with "§ 273.9"	273.3(a)	266b.1	X			
APPLICABILITY - MERCURY THERMOSTATS						
† replace "40 CFR" with "this"; replace "§ 273.6" with "§ 273.9"	273.4(a)	266b.1	X			
APPLICABILITY - LAMPS						
† redesignate old 273.5 as 273.8; add new paragraph; lamps covered under part 273	273.5(a)	266b.1	X			
† add new paragraph; lamps not covered under part 273	273.5(b)	266b.1	X			
	273.5(b)(1)					
	273.5(b)(2)					
† add new paragraphs; generation of waste lamps	273.5(c)	266b.1	X			
	273.5(c)(1)					
	273.5(c)(2)					

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI N- GENT	MORE STRI N- GENT	BROADER IN SCOPE
RESERVED						
† redesignate old 273.6 as 273.9 and reserve	273.6	266b.1	X			
† add and reserve	273.7	266b.1	X			
APPLICABILITY - HOUSEHOLD AND CONDITIONALLY EXEMPT SMALL QUANTITY GENERATOR WASTE						
† redesignated from 273.5; unchanged	273.8(a)	266b.1	X			
† replace "40 CFR 261.4(b)(1)" with "§ 261.4(b)(1) of this chapter"; replace "40 CFR 273.6" with "§ 273.9"	273.8(a)(1)	266b.1	X			
† replace "40 CFR 261.5" with "§ 261.5 of this chapter"; replace "40 CFR 273.6" with "§ 273.9"	273.8(a)(2)	266b.1	X			
† unchanged	273.8(b)	266b.1	X			
DEFINITIONS						
† newly designated 273.9 from 273.6, is amended by adding the definition of "Lamp"	273.9	266b.1	X			
† in definition of "large quantity handler of universal waste" replace "or thermostats," with "thermostats, or lamps,"	273.9	266b.1	X			

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI N- GENT	MORE STRI N- GENT	BROADER IN SCOPE
† in definition of "small quantity handler of universal waste" replace "more than 5,000 kilograms" with "5,000 kilograms or more"; replace "or thermostats," with "thermostats, or lamps,"	273.9	266b.1	X			
2,3† in definition of "universal waste", introduction, replace "40 CFR" with "this"; subparagraph (1), replace "40 CFR" with "§"; subparagraph (2), replace "40 CFR 273.3; and" with "§ 273.3;"; subparagraph (3), replace "40 CFR 273.4." with "§ 273.4; and"; add subparagraph (4) addressing lamps	273.9	266b.1	X			

SUBPART B - STANDARDS FOR SMALL QUANTITY HANDLERS OF UNIVERSAL WASTE

APPLICABILITY

† replace "273.6" with "273.9"	273.10	266b.1	X			
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WASTE MANAGEMENT

† add new paragraph; small quantity handlers of universal waste must manage lamps to prevent releases	273.13(d)	266b.1	X			
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**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI- N- GENT	MORE STRI- N- GENT	BROADER IN SCOPE
† lamp must be in containers that are structurally sound, adequate to prevent breakage & compatible; containers must remain closed & lack evidence of leakage, spillage or damage that could cause leakage	273.13(d)(1)	266b.1	X			
† immediately clean up & place in a container any broken lamp or lamp with evidence of breakage, leakage, or damage that could cause a leak; containers must be closed, structurally sound, compatible, & lack evidence of leakage, spillage or damage that could cause a leak	273.13(d)(2)	266b.1	X			
LABELING/MARKING						
† add new paragraph; each lamp or container in which lamps are contained must be clearly labeled or marked with "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"	273.14(e)	266b.1	X			
SUBPART C - STANDARDS FOR LARGE QUANTITY HANDLERS OF UNIVERSAL WASTE						
APPLICABILITY						
† replace "40 CFR 273.6" with "§ 273.9"	273.30	266b.1 266b.30(a)	X			
Legal Statement Comment: In § 266b.30(a), the Commonwealth's regulations clarify that a large quantity handler of universal waste complying with Subpart C of 40 CFR Part 273 is not required to obtain a permit.						

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI N- GENT	MORE STRI N- GENT	BROADER IN SCOPE
NOTIFICATION						
insert “, lamps” after “thermostats”	273.32(b)(4)	266b.1	X			
replace “kilograms” with “kg”; insert “, and lamps” after “thermostats”	273.32(b)(5)	266b.1	X			
MANAGEMENT						
add new paragraph; large quantity handlers of universal waste must manage lamps to prevent releases	273.33(d)	266b.1	X			
lamp must be in containers that are structurally sound, adequate to prevent breakage & compatible; containers must remain closed & lack evidence of leakage, spillage or damage that could cause leakage	273.33(d)(1)	266b.1	X			
immediately clean up & place in a container any broken lamp or lamp with evidence of breakage, leakage, or damage that could cause a leak; containers must be closed, structurally sound, compatible, & lack evidence of leakage, spillage or damage that could cause a leak	273.33(d)(2)	266b.1	X			

**RCRA REVISION CHECKLIST 181: Universal Waste Rule:
Specific Provisions for Hazardous Waste Lamps (cont'd)**

FEDERAL REQUIREMENTS	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
			EQUIV- ALENT	LESS STRI- N- GENT	MORE STRI- N- GENT	BROADER IN SCOPE

LABELING/MARKING

† add new paragraph; each lamp or container in which lamps are contained must be clearly labeled or marked with "Universal Waste-Lamp(s)" or "Waste Lamp(s)" or "Used Lamp(s)"	273.34(e)	266b.1	X			
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SUBPART D - STANDARDS FOR UNIVERSAL WASTE TRANSPORTERS

APPLICABILITY

† replace "40 CFR 273.6" with "§ 273.9"	273.50	266b.1	X			
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SUBPART E - STANDARDS FOR DESTINATION FACILITIES

APPLICABILITY

† replace "40 CFR 273.6" with "§ 273.9"; replace ending semicolon with a period	273.60(a)	266b.1	X			
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SUBPART G - PETITIONS TO INCLUDE OTHER WASTES UNDER 40 CFR PART 273

FACTORS FOR PETITIONS TO INCLUDE OTHER WASTES UNDER THIS PART 273

† replace both occurrences of "40 CFR part 273" with "this part 273"; replace "40 CFR 260.10" with "§ 260.10 of this chapter"; replace "273.6" with "§ 273.9"	273.81(a)	266b.1	X			
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¹ There is a typographical error in the Federal Register: "part § 273 of this chapter" should be "part 273 of this chapter" (there should not be a section (§) symbol).

² There is a typographical error in the Federal Register for the revised definition of "universal waste": "hazardous waste that are" should be "hazardous wastes that are".

RCRA REVISION CHECKLIST 181: Universal Waste Rule:

Specific Provisions for Hazardous Waste Lamps (cont'd)

³ There appears to be an error in the Federal Register in the first two subparagraphs for the revised definition of "universal waste". It appears that the ending colons were inadvertently removed. Thus, subparagraph (1) should end "in § 273.2;" and subparagraph (2) should end "in § 273.3;".